

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Linda Donkers
Debtor(s)

Bankruptcy Case No.: 18-23971-JAD
Issued Per Apr. 18, 2019 Proceeding
Chapter: 13
Docket No.: 44 - 26, 33
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 13, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,629 as of May 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at, in*. If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 5; PNC Bank at Claim No. 7 .
- H. Additional Terms:

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: April 22, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Linda Donkers
 Debtor

Case No. 18-23971-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
Form ID: 149Page 1 of 2
Total Noticed: 37

Date Rcvd: Apr 22, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 24, 2019.

db +Linda Donkers, 306 Telegraph Road, Brownsville, PA 15417-9560
 14928342 Advanced Disposal, 32870 US-6, Pittsfield, Marble, PA 16334
 14928344 +Alltran, PO Box 610, Sauk Rapids, MN 56379-0610
 14928345 +Atlantic Broadband, 2200 Beale Avenue, Altoona, PA 16601-1927
 14928346 +Bank of America, Po Box 17054, Wilmington, DE 19850-7054
 14928347 +Barclays Bank Delaware, 125 South West Street, Wilmington, DE 19801-5014
 14928348 +Beneficial, P.O. Box 3425, Buffalo, NY 14240-3425
 14928371 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: TSYS Debt Management, PO Box 5155, Norcross, GA 30091)
 14950746 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas, P.O. Box 117, Columbus, OH 43216)
 14928356 +CREDIT PROTECTION ASSOC, 13355 NOEL RDSTE 2100, Dallas, TX 75240-6837
 14928350 +Chase, 201 N Walnut Street Mailstop Del-1027, Wilmington, DE 19801-2920
 14928351 +Citizens Bank, 1 Citizens Dr, Riverside, RI 02915-3000
 14928354 +Convergent Outsourcing, 800 SW 39th Street, Renton, WA 98057-4927
 14928363 Mon valley Hospital, Inc., 1163 Country Club Road, Monongahela, PA 15063-1095
 14928364 +PA American Water, PO Box 371412, Pittsburgh, PA 15250-7412
 14928367 +PNC Bank, PO Box 94982, Cleveland, OH 44101-4982
 14928368 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14928366 #+Penn Credit, 916 S 14th St, Harrisburg, PA 17104-3425
 14950765 +SRA Associates, 401 Minnetonka Road, Somerdale, NJ 08083-2914
 14928373 +UFCW Local 23 Federal Credit Union, 345 Southpointe Boulevard--Suite 201, Canonsburg, PA 15317-8571
 14928372 +Udren Law Offices, Woodcrest Corporate Center, 111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14928349 +E-mail/Text: cms-bk@cms-collect.com Apr 23 2019 02:47:47 Capital Management Services, 726 Exchange Street, Suite 700, Buffalo, NY 14210-1464
 14928353 +E-mail/Text: tuscolsup@fisglobal.com Apr 23 2019 02:48:57 Complete Payment Recovery Services, 3500 5th Street, Northport, AL 35476-4723
 14928355 +E-mail/PDF: creditonebknotifications@resurgent.com Apr 23 2019 02:52:30 Credit One Bank, Po Box 98875, Las Vegas, NV 89193-8875
 14928357 E-mail/Text: mrdiscen@discover.com Apr 23 2019 02:47:33 Discover Card Services, P.O. Box 15157, Wilmington, DE 19886
 14928360 +E-mail/Text: cio.bncmail@irs.gov Apr 23 2019 02:47:44 Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
 14928361 E-mail/Text: JCAP_BNC_Notices@jcicap.com Apr 23 2019 02:48:42 Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302
 14928362 E-mail/PDF: resurgentbknotifications@resurgent.com Apr 23 2019 02:52:02 LVNV Funding, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14942225 E-mail/PDF: resurgentbknotifications@resurgent.com Apr 23 2019 02:52:38 LVNV Funding, LLC its successors and assigns as, assignee of FNBm, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14928365 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Apr 23 2019 02:48:05 PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
 14944458 +E-mail/Text: csc.bankruptcy@amwater.com Apr 23 2019 02:49:18 PENNSYLVANIA AMERICAN WATER, PO BOX 578, ALTON, IL 62002-0578
 14928369 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 23 2019 02:53:00 Portfolio Recovery, Po Box 41067, Norfolk, VA 23541
 14929086 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 23 2019 02:51:56 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14928370 +E-mail/Text: csidl@sbcglobal.net Apr 23 2019 02:48:52 Premier Bankcard, POB 2208, Vacaville, CA 95696-8208
 14947870 +E-mail/Text: JCAP_BNC_Notices@jcicap.com Apr 23 2019 02:48:42 Premier Bankcard, Llc, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
 14928374 E-mail/Text: bankruptcy@firstenergycorp.com Apr 23 2019 02:48:29 West Penn Power, P.O. Box 3687, Akron, OH 44309-3687
 14955881 +E-mail/Text: bankruptcy@firstenergycorp.com Apr 23 2019 02:48:29 West Penn Power, 5001 NASA Blvd, Fairmont, WV 26554-8248

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14950737* +AFC First Finanical, 1005 Brookside Rd., Allentown, PA 18106-9028
 14950736* Advanced Disposal, 32870 US-6, Pittsfield, Marble, PA 16334
 14950738* +Alltran, PO Box 610, Sauk Rapids, MN 56379-0610
 14950739* +Atlantic Broadband, 2200 Beale Avenue, Altoona, PA 16601-1927
 14950740* +Bank of America, Po Box 17054, Wilmington, DE 19850-7054
 14950741* +Barclays Bank Delaware, 125 South West Street, Wilmington, DE 19801-5014
 14950742* +Beneficial, P.O. Box 3425, Buffalo, NY 14240-3425
 14950766* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: TSYS Debt Management, PO Box 5155, Norcross, GA 30091)

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Apr 22, 2019

***** BYPASSED RECIPIENTS (continued) *****

14928352* ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
(address filed with court: Columbia Gas of Pennsylvania, P.O. Box 117, Columbus, OH 43216)
14950750* +CREDIT PROTECTION ASSOC, 13355 NOEL RDSTE 2100, Dallas, TX 75240-6837
14950743* +Capital Management Services, 726 Exchange Street, Suite 700, Buffalo, NY 14210-1464
14950744* +Chase, 201 N Walnut Street Mailstop Del-1027, Wilmington, DE 19801-2920
14950745* +Citizens Bank, 1 Citizens Dr, Riverside, RI 02915-3000
14950747* +Complete Payment Recovery Services, 3500 5th Street, Northport, AL 35476-4723
14950748* +Convergent Outsourcing, 800 SW 39th Street, Renton, WA 98057-4927
14950749* +Credit One Bank, Po Box 98875, Las Vegas, NV 89193-8875
14950751* ++DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025
(address filed with court: Discover Card Services, P.O. Box 15157, Wilmington, DE 19886)
14928358* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
14950752* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
14950754* +Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
14928359* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
14950753* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
14950755* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
(address filed with court: Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302)
14950756* LVNV Funding, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14950757* Mon valley Hospital, Inc., 1163 Country Club Road, Monongahela, PA 15063-1095
14950758* +PA American Water, PO Box 371412, Pittsburgh, PA 15250-7412
14950759* PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
14950761* +PNC Bank, PO Box 94982, Cleveland, OH 44101-4982
14950762* +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
14966090* +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
14950763* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, Po Box 41067, Norfolk, VA 23541)
14950760* +Penn Credit, 916 S 14th St, Harrisburg, PA 17104-3425
14950764* +Premier Bankcard, POB 2208, Vacaville, CA 95696-8208
14950768* +UFCW Local 23 Federal Credit Union, 345 Southpointe Boulevard--Suite 201,
Canonsburg, PA 15317-8571
14950767* +Udren Law Offices, Woodcrest Corporate Center, 111 Woodcrest Road, Suite 200,
Cherry Hill, NJ 08003-3620
14950769* West Penn Power, P.O. Box 3687, Akron, OH 44309-3687
14928343 ###AFC First Finanacial, 1005 Brookside Rd., Allentown, PA 18106-9028

TOTALS: 1, * 37, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 24, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on April 22, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmllawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Linda Donkers ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winneccour cmeecf@chapter13trusteewdpa.com

TOTAL: 4